

Appln No. 10/627,022  
Amdt date August 13, 2004  
Reply to Office action of February 13, 2004

**REMARKS/ARGUMENTS**

The Office Action dated February 13, 2004, has been reviewed and the comments carefully considered.

In the Office Action, various issues and questions are raised concerning the description of the variety. By the amendments in the accompanying Substitute Specification, Applicant has made a bona fide effort to address all issues and questions. With reference to Item J of the Office Action, 136A-B refers to mature foliage color, while N87B-C refers to ray floret color.

In view of the foregoing amendment and response, it is believed that the application is in condition for allowance and, accordingly, reconsideration and allowance is earnestly solicited.

If any questions remain regarding the allowability of the application, Applicant would appreciate if the Examiner would advise the undersigned by telephone.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

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NEW PLANT VARIETY OF ASTER TATARICUS

NAMED 'BLUE LAKE BLIM' 'VIOLET LAKE'

BOTANICAL CLASSIFICATIONAster tataricus L. 'Blue Lake Blim'

## 5 BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct variety of *Aster tataricus* L. f., which was developed in a controlled breeding program in Kobuchizawa, Gumma Prefecture, Japan by Mr. Shoji Hatano. The varietal denomination of the new variety is 'Blue Lake Blim' 'Violet Lake'.

10 The genus *Aster* is included in the family Compositae that comprises about 1,300 genera and 21,000 species of herbs, sometimes shrubs, or occasionally trees in tropics, mostly temperate in origin. *Aster* comprises approximately 250 species of mainly herbaceous perennials, though some annuals and biennials, originating in South America, Eurasia, Africa and Asia, many of which possess desirable ornamental

15 characteristics.

*Aster tataricus* is an extremely variable clumping to rhizomatus perennial native to Japan, Korea, Manchuria, northern China, Mongolia and Siberia. It is typically about 2 meters tall.

## SUMMARY OF THE INVENTION

20 The new variety was discovered in a controlled breeding program and differs from its parents by its late spring to early summer bloom season, the distinct violet cast of its ray flowers florets and its compactness, reaching a mature height of 40 to 50 cms tall in flower. *Aster tataricus* 'Violet Lake' 'Blue Lake Blim' differs from *Aster tataricus* 'Blue Lake' (U.S. Plant Patent Applied For; Application #10/357,937; filed February 3, 2003) by being 20% shorter, blooming two weeks later and violet flower color. Asexual reproduction of the new variety by division and flower stem cuttings, performed in Kobuchizawa, Gumma Prefecture, Japan have confirmed that the distinctive

characteristics of the new variety are stable and transmitted to succeeding generations, and the new variety reproduces true to type.

#### COMPARISON WITH PARENTS

5 'Violet Lake' 'Blue Lake Blim' is distinguished from its parents and all other varieties of *Aster tataricus* of which I am aware by its spring to early summer bloom season, the distinct violet cast of its ray florets flowers and its compactness, reaching a mature height of 40 to 50 cms tall in flower.

#### BRIEF DESCRIPTION OF ILLUSTRATION

10 The accompanying illustration shows a specimen plant of the new cultivar ~~in the photo illustration of the typical flower showing the colors~~ as true to color as is reasonably possible to make in an illustration of this character. The photographic illustration depicts a plant of the new cultivar.

#### DETAILED DESCRIPTION OF THE NEW VARIETY

15 'Violet Lake' 'Blue Lake Blim' has not been observed under all possible environmental, cultural and light conditions. The following observations and descriptions are of approximately one-year-old plants in 1-gallon nursery containers, grown in Kitakoma-gun, Yamanashi, Japan. In this description, color references are to the *Royal Horticultural Society Colour Chart* (2001) and terminology used in the color descriptions herein refers to plate numbers in this color chart. Phenotypic expression 20 may vary with light intensity, cultural and environmental conditions.

#### CLASSIFICATION:

Botanical: *Aster tataricus* L. 'Violet Lake' 'Blue Lake Blim'

Parentage

Female or Seed Parent: *Aster tataricus* L. 'Blue Lake' (U.S. Plant Patent

25 Applied For; Application #10/357,937; filed  
February 3, 2003)

Male or Pollen Parent: Unknown (unpatented)

	Propagation:	Division and flower stem cuttings
	Time to rooting:	Spring: About 21 days at a temperature of 21°C Winter: About 28 days at a temperature of 18°C
5	Rooting habit:	Fine, fibrous, well-branched
	Plant Description	
10	Appearance:	Herbaceous perennial with mounded growth habit with upright flower stems. Freely and uniformly flowering; violet-colored inflorescences.
	Size:	
15	Height:	In flower, 40 to 50 cm; vegetative stage, 12 to 18 cm
	Width:	30 to 40 cm
	Habit:	Mounding perennial, clumping to slightly rhizomatous, with a basal rosette of foliage and caulin leaves ascending the stems.
20	Branching:	Leaves radiate from a stout caudex at or below the soil surface.
	Hardiness:	USDA Zone 4 (-30°F to -20°F)
	Growth Rate:	Moderate to vigorous
	Foliage Description	
25	Shape:	Oblanceolate to spatulate
	Apex:	Acute
	Base:	Attenuate
	Margin:	Irregularly dentate
	Leaf size:	
	Mature:	
30	Basal leaves:	6 to 7 cm wide; 12 to 30 cm long

	Cauline leaves:	<u>1.5 to 3.5 cm wide; 2 to 17 cm long</u>
	Juvenile:	2 to-3 cm wide; 6 to-7 cm long
	Arrangement:	Alternate on the stem, occasionally forming false whorls at the ends of shoots or subtending an inflorescence.
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	Substance:	Coreaceous
	Texture:	Bullate, especially the basal leaves; scabrous above and beneath, more scabrous above
	Color:	
10	Mature Foliage:	
	Upper Surface:	Near Green Group 136A-B
	Lower Surface:	Near Green Group 136A-B
	Young Foliage:	
	Upper Surface:	Near Yellow-Green Group 146A
15	Under Surface:	Near Yellow-Green Group 147C
	Venation	
	Pattern:	
	Upper and Lower Surfaces:	Alternately pinnate, occasionally opposite near base
20	Color	
	New Foliage:	Upper Surface: near Yellow-Green Group 148B Under Surface: near Yellow-Green Group 146B
25	Mature Foliage:	Upper Surface: near Yellow-Green Group 148C
	Under Surface:	Near Yellow-Green Group 146D
	Flower Description	
	Appearance:	Typical composite "daisy" flowers borne in a loose many-flowered corymb, the up-facing
30		

		heads held on stiff peduncles, terminal and in leaf axils along the stem. Disc and ray florets arranged acropetally on a capitulum.
5	Flowering response:	Under natural conditions, plants flower from late spring through fall.
	Quantity of inflorescences:	Inflorescences form at every leaf axil. Freely flowering, usually about 65 to 80 inflorescences per plant <u>per season</u> , and from <u>18 to 25 inflorescences per stem</u> .
10	Inflorescence size:	
	Diameter:	About 3 cm
	Depth (height):	About 1 cm
	Disc diameter:	About 8 mm
	Fragrance:	None
15	Inflorescence bud:	
	Shape:	Ovoid
	Length:	About 1 cm
	Diameter:	About 5 mm
	Color:	Near Purple Group N78C
20	Ray florets	
	Quantity of ray florets/inflorescence:	<u>From about 14 to 16 to 22 per inflorescence</u>
	Shape:	Elliptic
	Apex:	Rounded
25	Base:	Attenuate
	Margin:	Entire
	Length:	About 1.2 to 1.6 cm
	Width:	About 4 to 6 mm
	Texture:	Satin, smooth and glabrous
30	Color:	Near violet group N87B-C

	Disc florets	
	Quantity:	About 35 to 40 per inflorescence
	Shape:	Tubular
	Length:	About 6 mm
5	Width:	About 2 mm
	Color:	Near Yellow Group 7C
	<u>Sepals-Phyllaries</u>	
	Appearance:	Leaf-like
	Quantity:	<u>Several rows</u> <u>Approximately 25</u>
10	Shape:	Linear
	<u>Apex:</u>	<u>Acute</u>
	<u>Base:</u>	<u>Truncate</u>
	<u>Margin:</u>	<u>Entire</u>
	Texture:	Smooth
15	Color:	<u>Upper Surface:</u> Near Green Group 139C; <u>Lower Surface:</u> Near Green Group 139C
	Peduncle	
	Aspect:	Angled about 45°
	Strength:	Strong
20	Length:	
	Apical peduncle:	About 2 cm
	Fourth peduncle:	About 5 cm
	Seventh peduncle:	About 6 cm
	Texture:	Coarse
25	Color:	Near Green Group 138B
	<u>Lastingness of Inflorescence</u>	
	<u>On Plant:</u>	<u>6 to 8 weeks</u>
	<u>Cut Flower:</u>	<u>Up to 2 weeks</u>
	<u>Lastingness of Individual Bloom</u>	
30	<u>On Plant:</u>	<u>2 weeks</u>

Cut Flower: 5 days

Time to Produce Flowering Plant: Approximately 6 to 8 weeks from a rooted  
division canned into a #1 nursery container.

REPRODUCTIVE ORGANS

5	Androecium	Present on disc florets only
	Pollen :	Scarce
	Pollen Color:	Near Yellow Group 9B
	Gynoecium	Present on both ray and disc florets
	Style Length:	About 3mm
10	Stigma Color:	Near Yellow Group 10C
	Pistils:	<u>1 per ray floret</u>
	Seed production:	Seed production has not been observed.
	Disease resistance:	Plants of 'Violet Lake' ' <u>Blue Lake Blim</u> ' have not been observed to be resistant to pathogens common to Asters.
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I CLAIM:

A new plant variety of *Aster tataricus* of the variety substantially as shown and described.

NEW PLANT VARIETY OF ASTER TATARICUS  
NAMED 'BLUE LAKE BLIM' 'VIOLET LAKE'

ABSTRACT

A new plant variety of *Aster tataricus* characterized by its late spring to early  
5 summer bloom season, the distinct violet cast of its ray flowers and its compactness,  
reaching a mature height of 40 to 50 cms tall in flower.